

#20

PTO/BB/64 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL F AN APPLICATION FOR PATENT ABAND NED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
2676-4432US

First named inventor: Baetselier et al.

Application No.: 09/598,101

Group Art Unit: 1645

Filed: June 16, 2000

Examiner: V. Ford

Title: PEPTIDES AND NUCLEIC ACIDS DERIVED FROM EISENIA FOETIDA AND THE USE THEREOF

Attention: Office of Petitions  
Commissioner for Patents  
Box DAC  
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact  
Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

- ☒ Small entity - fee \$640.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.  
☒ Commissioner is hereby authorized to charge this fee to Deposit Account Number 20-1469.

☐ Other than small entity - fee \$\_\_\_\_\_ (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of a Communication (identify type of reply):

- ☒ has been filed previously on July 19, 2002.  
☐ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_.  
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

05/28/2003 CKHL0K 00000008 201469 09596101

01 FC:2251

55.00 CH

FAX RECEIVED

OCT 31 2002

PETITIONS OFFICE

PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

## 4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-20388**

October 31, 2002

Date



Signature

Telephone  
Number: (801) 532-1922

Andrew F. Nilles, Reg No. 47,825

Typed or printed name  
Customer Number: 24247

P.O. Box 2550

Address

Salt Lake City, UT 84110

Enclosures: ☐ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other : \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box DAC, Washington, D.C. 20231.☒ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

October 31, 2002

Date



Signature

Betty Vowles

Typed or printed name of person signing certificate

**TRASKBRITT**

Intellectual Property Attorneys

**FACSIMILE TRANSMITTAL SHEET**Total number of pages including cover letter: 3To: **Examiner V. Ford**  
**U.S. Patent and Trademark Office**Date: **October 31, 2002**Facsimile No.: **(703) 308-6916**

Telephone No.:

From: **Andrew F. Nilles**Serial No.: **09/596,101**Client/matter number: **2676-4432US**Group Art Unit: **1645**

Message/Comments:

**FAX RECEIVED****OCT 31 2002****PETITIONS OFFICE**

Faxed by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

*If you do not receive the complete document, please call (801) 532-1922 as soon as possible*

**CONFIDENTIALITY NOTE:** The documents accompanying this facsimile transmission contain information from the law firm of TRASKBRITT, which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named in this transmission sheet above. If you are not the intended recipient, you are hereby notified that any disclosures, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited, and that the documents should be returned to this firm immediately. In this regard, if you have received this facsimile transmission in error, please notify us by telephone immediately so that we can arrange for the return of the documents to us at no cost to you.

230 South 500 East, Suite 300 Salt Lake City, Utah 84102 P.O. Box 2550 Salt Lake City, Utah 84110 Tel: 1.801.332.1922 1.800.900.2001 Fax: 1.801.531.9168

